

C & G PRODUCTIONS, LLC.
936 North Kenmore Street
Arlington, Virginia 22201

Received & Inspected
OCT 19 2012
FCC Mail Room

October 18, 2012

**Office of the Secretary
Federal Communication Commission
Attention: Disability Rights Office, Room 3-B431
9300 East Hampton Drive
Capitol Heights, MD 20743**

Alt. email: captioningexemption@fcc.gov

encl: Original and 2 copies

**Case Identifier: CGB-CC-1032
Re: DC CONTIGO**

Dear Mr. Holberg:

This letter is provided in response to your correspondence dated September 19, 2012, and provides supplementary information regarding DC CONTIGO's petition for exemption from the closed captioning rules.

Specifically, you requested 4 items:

- 1. Documentation of financial status sufficient to show the inability to afford closed captioning. Attached as Exhibit (1) You will find profit and loss statement showing profit and losses and the overall revenues for the prior 9 months as well as a statement of current assets and liabilities. We own no equipment and utilize all outside contractors to create the production which is done for a fixed fee. Because of the limited revenue at this time, we do not have any staff on salary. Without resources for staff at this time, we are not in the position of being able to explore performing the closed captioning in-house.**

2. **Current information about the costs associated with captioning the program. Attached hereto as Exhibit (2) is a copy of the lowest cost estimate for captioning. This estimate was obtained after seeking several bids, taking the lowest and negotiating a lower price given the frequency of the required services.**
3. **Verification that closed captioning assistance was requested from the distributor and rejected. Attached hereto as Exhibit (3) is a letter from the broadcast station which states that it will not be covering the cost of captioning and will not contribute to the cost of captioning.**
4. **Information that the impact that providing captioning would have on programming activities. This information is contained in this letter here and below. At this point we do not have sponsorship for the closed captioning. This is a local Spanish language program with a limited audience given its content and time of airing. Given the limited reach of the audience and content, the cost/benefit analysis to a sponsor to pay for the captioning simply would not make economic sense.**

DC CONTIGO is a weekly locally based program covering local public interests to the Spanish speaking community that is only aired once. It is not news programming nor does it utilize any script or teleprompters. Thus, the newsroom technique of captioning is unavailable. The programming consists of video presentations of events and local interests and is prepared weekly up to the date and time of airing.

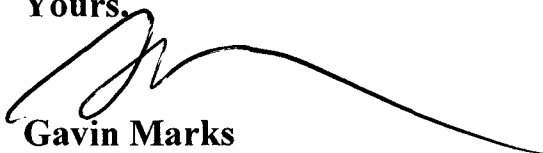
The programming is not profitable at this time and the gross revenues cannot support the captioning fees. The cost of captioning which would amount to \$525 per week will result in the inability to continue the program on a weekly basis as it would be economically burdensome. The cost of closed captioning equates to 58 percent of the gross revenue of the show. We will continue to pursue getting sponsorships, but, as you are likely aware, the weak economy has affected the ability of businesses to spend money. If you have any contact with charitable groups that have an interest in sponsoring the closed captioning, we would be more than happy to receive this assistance. Additionally, we would be interested in any grants the government would be willing to provide to support this initiative.

We have currently exhausted all alternative avenues for obtaining assistance with captioning, but we are hopeful this situation will not be permanent. However, inserting closed captioning at this time is simply not viable.

We are hopeful that we will be able to remain on the air. In the event we get a sponsor for the closed captioning, we have no objection to adding it when it is feasible. There is limited programming on the air about local events for the Spanish speaking community and the production of the program does create employment opportunities for the contractors who create the show. We believe the benefits that the program provides should be weighed against the cancellation of this program in the event we are unable to obtain the exemption.

My signature affirms that I attest to the truthfulness and accuracy of the statements which are made under penalty of perjury.

Yours,



Gavin Marks

Exhibit 1

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INCOME AND ASSETS

C & G Productions, LLC

Period January 1, 2012 – September 30, 2012

GROSS REVENUES: \$32,500

PRODUCTION EXPENSES: \$36,100

NET LOSS: \$3600

The production is outsourced for a fixed fee.

Airtime is provided at no cost in exchange for product placement within the program. The value of the airtime would equate to \$36,720 for the 9 month time period.

Cash Balance at Beginning of Year: \$6415.51

Cash Balance at September 30: \$2815.51

There company has no assets aside from the cash balance stated above and any value inherent in the name of the show.

The company has no current liabilities.

Sent: 10-16-2012 12:53:19 P.M. Eastern Daylight Time
Subj: RE: Your Weekly Captioning Project

Exhibit 2
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Hi Gavin,

Good speaking with you this AM. Video Caption Corporation would be delighted to assist you with the Closed Captioning of your 30-minute Spanish language shows. As I understand it, you would provide your weekly show to us as digital files. Our deliverable to you would be a Caption-embedded Video File (Basic Roll-up Captions) in the same size and format as supplied. For the purposes of this quote I am quoting an expedited 24-turnaround.

Pricing: \$525 per show

Price includes transcription, captioning (Basic Roll-up Captions), caption-embedding, and file output. We can set you up on our FTP server, so you can upload your shows there. If you supply your station's FTP info, we can upload the caption-embedded shows there.

I look forward to hearing from you shortly on next steps!

Cheers,

Constance

Constance Carlson

Vice President, Sales & Marketing

Video Caption Corporation

88 Hunns Lake Road

Stanfordville, NY 12581

800-705-1204 (phone)

800-705-1207 (fax)

{Exh. 3.1}



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Program: DC Contigo

Dear Mr. Marks,

In response to your request that the station contribute to the costs of the closed captioning, I regret to say that we are unable to do. It is our station policy and not within our budget to contribute money to independent time brokered providers.

We do have the ability to provide closed captioning services for your program at a cost as we have our own expenses associated with such a service. The quote that you obtained from the outside service is better than any price we could offer you.

I value your program and what it brings to the community covering local events and hope that you can resolve the closed captioning issue. DC Contigo has proven to be a very valuable and important part of our Saturday morning programming on our WFDC Univision station. If I can be of any further assistance, please let me know.

Sincerely,

Oscar A. Rodriguez
Senior Vice President EVC DC

